

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Stephanie Gordon,

Plaintiff,

v.

State of Nevada, et al.,

Defendants.

Case No.: 2:22-cv-00182-CDS-NJK

**Order Adopting Report and  
Recommendation**

(ECF No. 10)

Before the Court is United States Magistrate Judge Brenda N. Weksler's Report and Recommendation (R&R) recommending I dismiss this action without prejudice. ECF No. 10.

Magistrate Judge Weksler previously issued a screening order ("screening order") advising Plaintiff she needed to file an amended complaint curing deficiencies identified in the pleading by March 2, 2022. ECF No. 3. Plaintiff was subsequently granted an extension of time to amend her complaint and the deadline was extended to April 4, 2022. ECF No. 5 at 2. Plaintiff was again advised that failure to comply with the order would result in a recommendation that this case be dismissed. *Id.* On April 20, 2022, after finding no amended complaint had been filed, Magistrate Judge Weksler issued an R&R recommending that the Plaintiffs' case be dismissed without prejudice. ECF No. 7. In response, the Plaintiff filed a motion for reconsideration. ECF No. 8. The Court granted her request, vacated the R&R, and ordered the amended the complaint be filed by May 20, 2022. ECF No. 9. Plaintiff was advised that failure to file an amended complaint would result in a recommendation that this complaint be dismissed without

1 prejudice. *Id.* at 3. Plaintiff did not file an amended complaint. On July 5, 2022, the Magistrate  
2 Judge issued the instant R&R recommending Plaintiff's complaint be dismissed without  
3 prejudice. ECF No. 10.

4 "[N]o review is required of a magistrate judge's report and recommendation unless  
5 objections are filed."<sup>1</sup> Here, Plaintiff has not filed any objections.

6 While de novo review is not required because Plaintiff failed to file objections, I  
7 nevertheless reviewed the issues set forth in the report and recommendation (28 U.S.C. §  
8 636(b)(1)), and find that Judge Weksler set forth the proper legal analysis and factual basis in  
9 the R&R (ECF No. 10) and in the original screening order (ECF No. 3) which identified the  
10 deficiencies in Plaintiff's complaint.

11 Accordingly, the report and recommendation (ECF No. 10) of United States Magistrate  
12 Judge Weksler is AFFIRMED and adopted in its entirety. The Plaintiff's complaint is dismissed  
13 without prejudice.

14 The Clerk of the Court shall enter judgment and close the case.

15 IT IS SO ORDERED.

16  
17 DATED this 1st day of August, 2022.

18  
19   
20 Cristina D. Silva  
21 United States District Judge  
22

23  
24 <sup>1</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140,  
150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).